

**Customer No. 33647**  
Confirmation No. 2258

Patent  
Attorney Docket No. ITW7510.065

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Matus et al.  
Serial No. : 10/605,259  
Filed : September 18, 2003  
For : METHOD AND APPARATUS FOR AUTODETECTION OF PLASMA  
TORCH CONSUMABLES  
Group Art No. : 3742  
Examiner : Mark H. Paschall

---

**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

☐ deposited with the US Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**37 CFR 1.8(a)**

**37 CFR 1.10**

☐ with sufficient postage as first class mail    ☐ As "Express Mail Post Office to Addressee" Mailing Label No.

**Transmission**

☐ transmitted by facsimile to Fax No.: 571-273-8300 addressed to Examiner Mark H. Paschall at the Patent and Trademark Office.

☒ transmitted by EFS-WEB addressed to Examiner Mark H. Paschall at the Patent and Trademark Office.

Date: November 14, 2006

/Robyn L. Templin/  
Signature

---

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RENEWED PETITION TO CORRECT INVENTORSHIP IN  
NON-PROVISIONAL APPLICATION  
UNDER 37 C.F.R. §1.48(a)**

Applicant respectfully requests its Request To Correct Inventorship In Non-Provisional Application Under 37 C.F.R. §1.48(a) filed November 24, 2003 be acted upon as this case is now allowed and the Issue Fee is due on January 17, 2007. Expedited correction of the inventorship of the above-captioned application is urgently requested. The undersigned telephoned the Examiner, Mark H. Paschall, on October 31, 2006, regarding the Request To Correct Inventorship In Non-Provisional Application Under 37 C.F.R. §1.48(a) filed on November 24, 2003, which is indicated in PAIR as Oath or Declaration filed on November 28, 2003, but the telephone call was not returned.

Enclosed herein is a copy of the Request To Correct Inventorship In Non-Provisional Application Under 37 C.F.R. §1.48(a) filed on November 24, 2003, which included the following:

- A statement from the inventor to be added, James F. Ulrich, evidencing lack of deceptive intent
- A declaration executed by the actual inventors, Tim A. Matus and James F. Ulrich
- A statement from the Assignee of the above-captioned Patent agreeing to the change of inventorship pursuant to 37 C.F.R. §3.73(b) and supporting documentation.
- A Credit Card Authorization in the amount of \$130.00 associated with the entry of this Petition.

The Patent Office previously charged the amount of \$130.00 associated with entry of the Request To Correct Inventorship In Non-Provisional Application Under 37 C.F.R. §1.48(a) filed November 24, 2003. Accordingly, Applicant believes no fee is necessary with the filing of this Renewed Petition To Correct Inventorship In Non-Provisional Application Under 37 C.F.R. §1.48(a).

Applicant cordially invites a Patent Office representative to contact the undersigned, should any matters require discussion or remain unresolved.

Respectfully submitted,

/Timothy J. Ziolkowski/

Timothy J. Ziolkowski  
Registration No. 38,368  
Direct Dial 262-268-8181  
tjz@zpspatents.com

Dated: November 14, 2006  
Attorney Docket No.: ITW7510.065

**P.O. ADDRESS:**

Ziolkowski Patent Solutions Group, SC  
136 South Wisconsin Street  
Port Washington, WI 53074  
262-268-8100



Customer No. 33647

Attorney Docket No.: ITW7510.065

\$  
G.C.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Matus et al.  
Serial No. : 10/605,259  
Filed : September 18, 2003  
For : METHOD AND APPARATUS FOR  
AUTODETECTION OF CONSUMABLES  
Group Art No. : Unknown  
Examiner : Unknown

**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

- ☐ **Mailing**  
deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450
- ☐ **37 CFR 1.8(a)**  
with sufficient postage as first class mail
- ☐ **37 CFR 1.10**  
As "Express Mail Post Office to Addressee" Mailing Label No. \_\_\_\_\_  
**Transmission**
- ☐ transmitted by facsimile to Fax No.: \_\_\_\_\_ addressed to Examiner \_\_\_\_\_ at the  
Patent and Trademark Office.

Date: 11-24-03

James A. Johnson  
Signature

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO CORRECT INVENTORSHIP IN NON-PROVISIONAL APPLICATION  
UNDER 37 C.F.R. §1.48(a)**

For the reasons set forth herein, Applicant respectfully requests correction of the inventorship of the above-captioned application to include James F. Ulrich as an inventor.

Enclosed herein, in compliance with 37 C.F.R. §1.48(a), please find the following.

- A statement from the inventor to be added, James F. Ulrich, evidencing lack of deceptive intent

12/03/2003 RHEBRAHT 00000010 10605259

01 FC:1460

130.00 OP

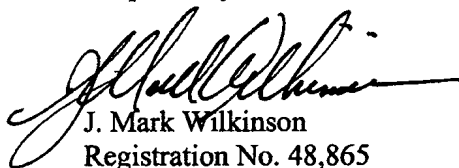
Stein et al.

S/N: 10/604,459

- A declaration executed by the actual inventors, Tim A. Matus and James F. Ulrich
- A statement from the Assignee of the above-captioned Patent agreeing to the change of inventorship pursuant to 37 C.F.R. §3.73(b) and supporting documentation.
- A Credit Card Authorization in the amount of \$130.00 associated with the entry of this Petition.

Applicant cordially invites a Patent Office representative to contact the undersigned, should any matters require discussion or remain unresolved.

Respectfully submitted,



J. Mark Wilkinson  
Registration No. 48,865  
Direct Dial 262.376.5016  
jmw@zpspatents.com

Dated: 11/21/03  
Attorney Docket No.: ITW7510.065

**P.O. ADDRESS:**

Ziolkowski Patent Solutions Group, LLC  
14135 N. Cedarburg Rd.  
Mequon, WI 53097-1416  
262-376-5170



Customer No. 33647

Attorney Docket No.: ITW7510.065

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Matus et al.  
Serial No. : 10/605,259  
Filed : September 18, 2003  
For : METHOD AND APPARATUS FOR  
AUTODETECTION OF CONSUMABLES  
Group Art No. : Unknown  
Examiner : Unknown

**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450

**37 CFR 1.8(a)**

with sufficient postage as first class mail

transmitted by facsimile to Fax No.: \_\_\_\_\_  
Patent and Trademark Office.

**37 CFR 1.10**

As "Express Mail Post Office to Addressee" Mailing Label No.  
**Transmission**

addressed to Examiner \_\_\_\_\_ at the

Date: 11-24-03

  
Signature

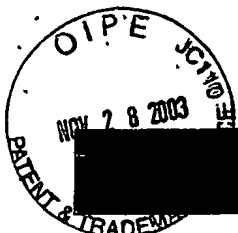
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF INVENTOR TO BE ADDED**

I, James F. Ulrich, by signing below, do hereby affirm that the inventorship error of failing to include myself as an inventor of United States Patent Application 10/605,259 occurred without any deceptive intent on my part.

Sincerely,

  
James F. Ulrich



# PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## METHOD AND APPARATUS FOR AUTODETECTION OF CONSUMABLES

the specification of which is attached hereto unless the following box is checked:

(x) was filed on 9/18/2003 as US Application Serial No. 10/605,259 or PCT International Application

Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

### Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor(s) certificate or PCT international application designating at least one country other than the United States of America having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED
			YES: _____ NO: _____
			YES: _____ NO: _____

### Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE

### U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

### POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Timothy J. Ziolkowski, Reg. No. 38,368

J. Mark Wilkinson, Reg. No. 48,865

Kent L. Baker, Reg. No. 52,584

along with the following registered attorneys and agents of Company and address:

Send Correspondence to:

Timothy J. Ziolkowski  
Ziolkowski Patent Solutions Group, LLC  
14135 North Cedarburg Road  
Mequon, WI 53097-1416

Direct Telephone Calls To:

Timothy J. Ziolkowski  
262-376-5170

7510.065

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Tim A. Matus

Citizenship: USA

Residence/Post Office Address: 838 Fawnway, San Antonio, TX 78258

Inventor's Signature

Date

9/17/03

Full Name of Inventor: James F. Ulrich

Citizenship: USA

Residence/Post Office Address: W9768 Cloverleaf Road, Hortonville, WI 54944

Inventor's Signature

Date

10 Oct 03



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Matus et al.  
Application No./Patent No.: 10/605,259 Filed/Issued Date: September 18, 2003  
Entitled: METHOD AND APPARATUS FOR AUTO DETECTION OF CONSUMABLES  
Illinois Tool Works Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or \_\_\_\_\_.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or \_\_\_\_\_.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[x] Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

11/10/03 Date  
Mark W. Croll Typed or printed name  
[Signature] Signature  
Vice President Patents and Technology Title

PATENT

Attorney Docket No. ITW7510.065

For: U.S. and/or Foreign Rights

For: U.S. Application or U.S. Patent  
By: Multiple Inventors

### ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR (inventor):

James F. Ulrich  
Name

W9768 Cloverleaf Road

Hortonville, WI  
Address

USA  
Citizenship

hereby sell, assigns, and transfers to

ASSIGNEE:

Illinois Tool Works Inc.  
Type name of ASSIGNEE  
A Delaware Corporation

3600 West Lake Avenue

Glenview, IL 60025  
Address

and the successors, assigns and legal representatives of the ASSIGNEE

the entire right, title and interest  
an undivided \_\_\_\_\_ percent \_\_\_\_\_ (%) interest

for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority in and to any and all improvements which are disclosed in the invention entitled:

### METHOD AND APPARATUS FOR AUTODETECTION OF CONSUMABLES

and which is found in

- (a) U.S. patent application executed on even date herewith.
- (b) U.S. patent application executed on \_\_\_\_\_
- U.S. application serial no. 10/605,259 filed on Sept. 18, 2003.

I as an ASSIGNOR signing below hereby authorize and request my attorney, as named in the Declaration and Power of Attorney I executed for this invention on the execution date stated above, to insert the filing date and application number above when it becomes known.

- (d) International application no. PCT/\_\_\_\_\_.
- (e) U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_.  
A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.
- (f) and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent any reissue or reexamination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

James F. Ulrich  
Type Name of Inventor

James F. Ulrich  
Signature of Inventor

Date: 10 Oct 03

Subscribed and sworn to before me  
this 10th day of October, 2003.

Margaret Baker  
Notary Public State of Wisconsin  
My Commission Expires: 8/22/04

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays valid OMB control number.

Approved for use through 01/31/2003. OMB 0651-0043  
United States Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

PTO-2038 (02-2000)

**United States Patent & Trademark Office**  
**Credit Card Payment Form**  
**Please Read Instructions before Completing this Form**

**Credit Card Information**

**Credit Card Type:** ☒ Visa ☐ Master Card ☐ American Express ☐ Discover

**Credit Card Account #** [REDACTED]

**Credit Card Expiration Date:** 08/05

**Name as it Appears on Credit Card:** Tim J. Ziolkowski

**Payment Amount:** \$ 130.00 (US Dollars)

**Signature:** [Signature]

**Date:** 11/21/03

**Refund Policy:** The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.

**Service Charge:** There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)).

**Credit Card Billing Address**

**Street Address 1:** 2268 Ridgewood Road

**Street Address 2:**

**City:** Grafton

**State:** WI

**Zip/Postal Code:** 53024

**Country:** USA

**Daytime Phone #:** 262-376-5170

**Fax #:** 262-376-2994

**Request and Payment Information**

**Description of Request and Payment Information:** Add Inventor Fee

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 10/605,259	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. ITW7510.065		Identify or Describe Mark	

*If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent & Trademark Office will not be liable in the event that the credit card number becomes public knowledge.*